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DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 12/1/2021

GEORGIA M. PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

CAROLYN E. KRUK
Phone: (212) 356-0893
Fax: (212) 356-1140
ckruk@law.nyc.gov

November 29, 2021

By ECF

Hon. Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Hopeton Prendergast v. Patsy Yang, et al.*, 20-cv-9418 (AT)(SDA)

Dear Judge Torres:

I am the Assistant Corporation Counsel assigned to defend the above-referenced action wherein Plaintiff alleges that Defendants Cynthia Brann, the former Commissioner of the New York City Department of Correction (DOC), Patsy Yang, Vice President of Correctional Health Services, and Margaret Egan, Executive Director of the Board of Corrections failed to minimize the risk of transmission of the COVID19 virus in DOC's Vernon C. Bain Center. I write to respectfully request an extension of Defendants' time to file and serve their motion for summary judgment pursuant to Rule 56.1.

Discovery closes on December 2, 2021 (*see* Dkt No. 27), making Defendants' motion for summary judgment due on January 1, 2022 in this *pro se* action. I write to respectfully request a 41-day extension of Defendants' deadline to move for summary judgment from Saturday, January 1, 2022, to Friday, February 11, 2022. The extension is requested because I will be out of the country visiting my immediate family – who I have not seen in two years due to the COVID19 pandemic – between December 15, 2021 and January 4, 2021. Due to prior commitments, including depositions in related VCBC COVID-19 actions, I am unable to begin to draft the motion before my departure. Rather, the requested extension will provide me slightly over 30 days to draft the motion upon my return to the office on January 5, 2021. This is Defendants' first request for such an extension. As Plaintiff is incarcerated I have not obtained his consent. The requested extension would not impact any other deadline.

GRANTED.

SO ORDERED.

Dated: December 1, 2021
New York, New York

ANALISA TORRES
United States District Judge